

ENTERED

April 29, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	MJ ACTION NO. 2:21-MJ-470
	§	
DAVID OLVERA	§	

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:


- (1) There is a serious risk that the defendant will not appear; and
- (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

The evidence against the defendant meets the probable cause standard and the weight of the evidence is strong. The defendant is charged with assaulting a U.S. Border Patrol agent by striking the agent multiple times with closed fists. During the assault the defendant is alleged to have further threatened the agent by shouting that he is part of “the cartel.” The defendant is currently on probation for felony offenses which include assault on a public servant. The state probation department is pursuing a violation warrant. The defendant has shown he is either unable or unwilling to comply with conditions of release. The defendant is a poor candidate for bond. The findings and

conclusions contained in the Pretrial Services Report are adopted. The defendant is ORDERED detained pending trial.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 29th day of April 2021.


Jason B. Libby
United States Magistrate Judge